

The Examiner provisionally rejects the claims under double patenting in view of the co-pending application 09/854,421. Applicant respectfully traverses the rejection, as it is believed the present application is patentably distinct from the co-pending application, and therefore double patenting should not apply. The rejection is provisional, as the claims of the other application have not yet been patented.

The Examiner rejected claims 1 and 2 under 35 U.S.C. §103(a) over U.S. publication US2002/0003828 or JP 2000-148657. Applicant respectfully traverses. These two documents are not prior art. The U.S. publication US2002/0003828 is the publication of this very same application which is currently under examination, and therefore cannot be prior art. Further, JP 2000-148657 is the priority document from which this present application claims priority, and therefore is not prior art, as applicant's own priority document cannot operate as prior art when priority was claimed. Accordingly, applicant's claims are submitted to be allowable.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,



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